

1 AN ACT concerning criminal law.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The Criminal Code of 1961 is amended by adding  
5 Section 12-21.6-5 as follows:

6 (720 ILCS 5/12-21.6-5 new)

7 Sec. 12-21.6-5. Parent or guardian leaving custody or  
8 control of child with child sex offender.

9 (a) For the purposes of this Section, "minor" means a  
10 person under 18 years of age; and "child sex offender" means a  
11 sex offender who is required to register under the Sex Offender  
12 Registration Act and is a child sex offender as defined in  
13 Sections 11-9.3 and 11-9.4 of this Code.

14 (b) It is unlawful for a parent or guardian of a minor to  
15 knowingly leave that minor in the custody or control of a child  
16 sex offender, or allow the child sex offender unsupervised  
17 access to the minor.

18 (c) This Section does not apply to leaving the minor in the  
19 custody or control of, or allowing unsupervised access to the  
20 minor by:

21 (1) a child sex offender who is the parent of the  
22 minor;

23 (2) a person convicted of a violation of subsection (c)

1 of Section 12-15 of this Code; or

2 (3) a child sex offender who is married to and living  
3 in the same household with the parent or guardian of the  
4 minor.

5 This subsection (c) shall not be construed to allow a child  
6 sex offender to knowingly reside within 500 feet of the minor  
7 victim of the sex offense if prohibited by subsection (b-6) of  
8 Section 11-9.4 of this Code.

9 (d) Sentence. A person who violates this Section is guilty  
10 of a Class A misdemeanor.

11 (e) Nothing in this Section shall prohibit the filing of a  
12 petition or the instituting of any proceeding under Article II  
13 of the Juvenile Court Act of 1987 relating to abused minors.

14 Section 10. The Sex Offender Registration Act is amended by  
15 changing Sections 3 and 6 as follows:

16 (730 ILCS 150/3)

17 Sec. 3. Duty to register.

18 (a) A sex offender, as defined in Section 2 of this Act, or  
19 sexual predator shall, within the time period prescribed in  
20 subsections (b) and (c), register in person and provide  
21 accurate information as required by the Department of State  
22 Police. Such information shall include a current photograph,  
23 current address, current place of employment, the employer's  
24 telephone number, school attended, all e-mail addresses,

1 instant messaging identities, chat room identities, and other  
2 Internet communications identities that the sex offender uses  
3 or plans to use, all Uniform Resource Locators (URLs)  
4 registered or used by the sex offender, all blogs and other  
5 Internet sites maintained by the sex offender or to which the  
6 sex offender has uploaded any content or posted any messages or  
7 information, extensions of the time period for registering as  
8 provided in this Article and, if an extension was granted, the  
9 reason why the extension was granted and the date the sex  
10 offender was notified of the extension. The information shall  
11 also include the county of conviction, license plate numbers  
12 for every vehicle registered in the name of the sex offender,  
13 the age of the sex offender at the time of the commission of  
14 the offense, the age of the victim at the time of the  
15 commission of the offense, and any distinguishing marks located  
16 on the body of the sex offender. A sex offender convicted under  
17 Section 11-6, 11-20.1, 11-20.3, or 11-21 of the Criminal Code  
18 of 1961 shall provide all Internet protocol (IP) addresses in  
19 his or her residence, registered in his or her name, accessible  
20 at his or her place of employment, or otherwise under his or  
21 her control or custody. If the sex offender is a child sex  
22 offender as defined in Section 11-9.3 or 11-9.4 of the Criminal  
23 Code of 1961, the sex offender shall report to the registering  
24 agency whether he or she is living in a household with a child  
25 under 18 years of age who is not his or her own child, provided  
26 that his or her own child is not the victim of the sex offense.

1 The sex offender or sexual predator shall register:

2 (1) with the chief of police in the municipality in  
3 which he or she resides or is temporarily domiciled for a  
4 period of time of 5 or more days, unless the municipality  
5 is the City of Chicago, in which case he or she shall  
6 register at the Chicago Police Department Headquarters; or

7 (2) with the sheriff in the county in which he or she  
8 resides or is temporarily domiciled for a period of time of  
9 5 or more days in an unincorporated area or, if  
10 incorporated, no police chief exists.

11 If the sex offender or sexual predator is employed at or  
12 attends an institution of higher education, he or she shall  
13 register:

14 (i) with the chief of police in the municipality in  
15 which he or she is employed at or attends an institution of  
16 higher education, unless the municipality is the City of  
17 Chicago, in which case he or she shall register at the  
18 Chicago Police Department Headquarters; or

19 (ii) with the sheriff in the county in which he or she  
20 is employed or attends an institution of higher education  
21 located in an unincorporated area, or if incorporated, no  
22 police chief exists.

23 For purposes of this Article, the place of residence or  
24 temporary domicile is defined as any and all places where the  
25 sex offender resides for an aggregate period of time of 5 or  
26 more days during any calendar year. Any person required to

1 register under this Article who lacks a fixed address or  
2 temporary domicile must notify, in person, the agency of  
3 jurisdiction of his or her last known address within 3 days  
4 after ceasing to have a fixed residence.

5 Any person who lacks a fixed residence must report weekly,  
6 in person, with the sheriff's office of the county in which he  
7 or she is located in an unincorporated area, or with the chief  
8 of police in the municipality in which he or she is located.  
9 The agency of jurisdiction will document each weekly  
10 registration to include all the locations where the person has  
11 stayed during the past 7 days.

12 The sex offender or sexual predator shall provide accurate  
13 information as required by the Department of State Police. That  
14 information shall include the sex offender's or sexual  
15 predator's current place of employment.

16 (a-5) An out-of-state student or out-of-state employee  
17 shall, within 3 days after beginning school or employment in  
18 this State, register in person and provide accurate information  
19 as required by the Department of State Police. Such information  
20 will include current place of employment, school attended, and  
21 address in state of residence. A sex offender convicted under  
22 Section 11-6, 11-20.1, 11-20.3, or 11-21 of the Criminal Code  
23 of 1961 shall provide all Internet protocol (IP) addresses in  
24 his or her residence, registered in his or her name, accessible  
25 at his or her place of employment, or otherwise under his or  
26 her control or custody. The out-of-state student or

1 out-of-state employee shall register:

2 (1) with the chief of police in the municipality in  
3 which he or she attends school or is employed for a period  
4 of time of 5 or more days or for an aggregate period of  
5 time of more than 30 days during any calendar year, unless  
6 the municipality is the City of Chicago, in which case he  
7 or she shall register at the Chicago Police Department  
8 Headquarters; or

9 (2) with the sheriff in the county in which he or she  
10 attends school or is employed for a period of time of 5 or  
11 more days or for an aggregate period of time of more than  
12 30 days during any calendar year in an unincorporated area  
13 or, if incorporated, no police chief exists.

14 The out-of-state student or out-of-state employee shall  
15 provide accurate information as required by the Department of  
16 State Police. That information shall include the out-of-state  
17 student's current place of school attendance or the  
18 out-of-state employee's current place of employment.

19 (a-10) Any law enforcement agency registering sex  
20 offenders or sexual predators in accordance with subsections  
21 (a) or (a-5) of this Section shall forward to the Attorney  
22 General a copy of sex offender registration forms from persons  
23 convicted under Section 11-6, 11-20.1, 11-20.3, or 11-21 of the  
24 Criminal Code of 1961, including periodic and annual  
25 registrations under Section 6 of this Act.

26 (b) Any sex offender, as defined in Section 2 of this Act,

1 or sexual predator, regardless of any initial, prior, or other  
2 registration, shall, within 3 days of beginning school, or  
3 establishing a residence, place of employment, or temporary  
4 domicile in any county, register in person as set forth in  
5 subsection (a) or (a-5).

6 (c) The registration for any person required to register  
7 under this Article shall be as follows:

8 (1) Any person registered under the Habitual Child Sex  
9 Offender Registration Act or the Child Sex Offender  
10 Registration Act prior to January 1, 1996, shall be deemed  
11 initially registered as of January 1, 1996; however, this  
12 shall not be construed to extend the duration of  
13 registration set forth in Section 7.

14 (2) Except as provided in subsection (c)(4), any person  
15 convicted or adjudicated prior to January 1, 1996, whose  
16 liability for registration under Section 7 has not expired,  
17 shall register in person prior to January 31, 1996.

18 (2.5) Except as provided in subsection (c)(4), any  
19 person who has not been notified of his or her  
20 responsibility to register shall be notified by a criminal  
21 justice entity of his or her responsibility to register.  
22 Upon notification the person must then register within 3  
23 days of notification of his or her requirement to register.  
24 If notification is not made within the offender's 10 year  
25 registration requirement, and the Department of State  
26 Police determines no evidence exists or indicates the

1 offender attempted to avoid registration, the offender  
2 will no longer be required to register under this Act.

3 (3) Except as provided in subsection (c) (4), any person  
4 convicted on or after January 1, 1996, shall register in  
5 person within 3 days after the entry of the sentencing  
6 order based upon his or her conviction.

7 (4) Any person unable to comply with the registration  
8 requirements of this Article because he or she is confined,  
9 institutionalized, or imprisoned in Illinois on or after  
10 January 1, 1996, shall register in person within 3 days of  
11 discharge, parole or release.

12 (5) The person shall provide positive identification  
13 and documentation that substantiates proof of residence at  
14 the registering address.

15 (6) The person shall pay a \$20 initial registration fee  
16 and a \$10 annual renewal fee. The fees shall be used by the  
17 registering agency for official purposes. The agency shall  
18 establish procedures to document receipt and use of the  
19 funds. The law enforcement agency having jurisdiction may  
20 waive the registration fee if it determines that the person  
21 is indigent and unable to pay the registration fee. Ten  
22 dollars for the initial registration fee and \$5 of the  
23 annual renewal fee shall be used by the registering agency  
24 for official purposes. Ten dollars of the initial  
25 registration fee and \$5 of the annual fee shall be  
26 deposited into the Sex Offender Management Board Fund under

1 Section 19 of the Sex Offender Management Board Act. Money  
2 deposited into the Sex Offender Management Board Fund shall  
3 be administered by the Sex Offender Management Board and  
4 shall be used to fund practices endorsed or required by the  
5 Sex Offender Management Board Act including but not limited  
6 to sex offenders evaluation, treatment, or monitoring  
7 programs that are or may be developed, as well as for  
8 administrative costs, including staff, incurred by the  
9 Board.

10 (d) Within 3 days after obtaining or changing employment  
11 and, if employed on January 1, 2000, within 5 days after that  
12 date, a person required to register under this Section must  
13 report, in person to the law enforcement agency having  
14 jurisdiction, the business name and address where he or she is  
15 employed. If the person has multiple businesses or work  
16 locations, every business and work location must be reported to  
17 the law enforcement agency having jurisdiction.

18 (Source: P.A. 94-166, eff. 1-1-06; 94-168, eff. 1-1-06; 94-994,  
19 eff. 1-1-07; 95-229, eff. 8-16-07; 95-579, eff. 6-1-08; 95-640,  
20 eff. 6-1-08; 95-658, eff. 10-11-07; 95-876, eff. 8-21-08.)

21 (730 ILCS 150/6) (from Ch. 38, par. 226)

22 Sec. 6. Duty to report; change of address, school, or  
23 employment; duty to inform. A person who has been adjudicated  
24 to be sexually dangerous or is a sexually violent person and is  
25 later released, or found to be no longer sexually dangerous or

1 no longer a sexually violent person and discharged, or  
2 convicted of a violation of this Act after July 1, 2005, shall  
3 report in person to the law enforcement agency with whom he or  
4 she last registered no later than 90 days after the date of his  
5 or her last registration and every 90 days thereafter and at  
6 such other times at the request of the law enforcement agency  
7 not to exceed 4 times a year. Such sexually dangerous or  
8 sexually violent person must report all new or changed e-mail  
9 addresses, all new or changed instant messaging identities, all  
10 new or changed chat room identities, and all other new or  
11 changed Internet communications identities that the sexually  
12 dangerous or sexually violent person uses or plans to use, all  
13 new or changed Uniform Resource Locators (URLs) registered or  
14 used by the sexually dangerous or sexually violent person, and  
15 all new or changed blogs and other Internet sites maintained by  
16 the sexually dangerous or sexually violent person or to which  
17 the sexually dangerous or sexually violent person has uploaded  
18 any content or posted any messages or information. Any person  
19 who lacks a fixed residence must report weekly, in person, to  
20 the appropriate law enforcement agency where the sex offender  
21 is located. Any other person who is required to register under  
22 this Article shall report in person to the appropriate law  
23 enforcement agency with whom he or she last registered within  
24 one year from the date of last registration and every year  
25 thereafter and at such other times at the request of the law  
26 enforcement agency not to exceed 4 times a year. If any person

1 required to register under this Article lacks a fixed residence  
2 or temporary domicile, he or she must notify, in person, the  
3 agency of jurisdiction of his or her last known address within  
4 3 days after ceasing to have a fixed residence and if the  
5 offender leaves the last jurisdiction of residence, he or she,  
6 must within 3 days after leaving register in person with the  
7 new agency of jurisdiction. If any other person required to  
8 register under this Article changes his or her residence  
9 address, place of employment, or school, he or she shall report  
10 in person to the law enforcement agency with whom he or she  
11 last registered of his or her new address, change in  
12 employment, or school, all new or changed e-mail addresses, all  
13 new or changed instant messaging identities, all new or changed  
14 chat room identities, and all other new or changed Internet  
15 communications identities that the sex offender uses or plans  
16 to use, all new or changed Uniform Resource Locators (URLs)  
17 registered or used by the sex offender, and all new or changed  
18 blogs and other Internet sites maintained by the sex offender  
19 or to which the sex offender has uploaded any content or posted  
20 any messages or information, and register, in person, with the  
21 appropriate law enforcement agency within the time period  
22 specified in Section 3. If the sex offender is a child sex  
23 offender as defined in Section 11-9.3 or 11-9.4 of the Criminal  
24 Code of 1961, the sex offender shall within 3 days after  
25 beginning to reside in a household with a child under 18 years  
26 of age who is not his or her own child, provided that his or her

1 own child is not the victim of the sex offense, report that  
2 information to the registering law enforcement agency. The law  
3 enforcement agency shall, within 3 days of the reporting in  
4 person by the person required to register under this Article,  
5 notify the Department of State Police of the new place of  
6 residence, change in employment, or school.

7 If any person required to register under this Article  
8 intends to establish a residence or employment outside of the  
9 State of Illinois, at least 10 days before establishing that  
10 residence or employment, he or she shall report in person to  
11 the law enforcement agency with which he or she last registered  
12 of his or her out-of-state intended residence or employment.  
13 The law enforcement agency with which such person last  
14 registered shall, within 3 days after the reporting in person  
15 of the person required to register under this Article of an  
16 address or employment change, notify the Department of State  
17 Police. The Department of State Police shall forward such  
18 information to the out-of-state law enforcement agency having  
19 jurisdiction in the form and manner prescribed by the  
20 Department of State Police.

21 (Source: P.A. 94-166, eff. 1-1-06; 94-168, eff. 1-1-06; 95-229,  
22 eff. 8-16-07; 95-331, eff. 8-21-07; 95-640, eff. 6-1-08;  
23 95-876, eff. 8-21-08.)